

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

COMMISSIONERS OF PUBLIC WORKS OF) Civil Action No. 2:24-cv-02935-RMG
THE CITY OF CHARLESTON (d.b.a.)
Charleston Water System), Individually and on) CLASS ACTION
Behalf of All Others Similarly Situated,)
Plaintiff,) PLAINTIFF'S MOTION FOR
vs.) PRELIMINARY APPROVAL OF CLASS
DUDE PRODUCTS INC.,) ACTION SETTLEMENT
Defendant.)
_____)

Representative Plaintiff, the Commissioners of Public Works of the City of Charleston (d.b.a. “Charleston Water System”) (“Plaintiff”), respectfully files this motion for an Order granting preliminary approval of the class action settlement with Defendant Dude Products Inc. (“Defendant” or “Dude Products”) that resolves all of Plaintiff’s Released Claims against Dude Products during the Settlement Class Period.¹ For the reasons set forth in the accompanying Memorandum, Plaintiff respectfully moves the Court for an Order:

1. Granting preliminary approval of the Settlement;
2. Certifying a Rule 23(b)(2) class for settlement purposes;
3. Appointing Plaintiff as Class Representative;
4. Appointing Robbins Geller Rudman & Dowd LLP and AquaLaw PLC as Class Counsel;
5. Approving the Settling Parties’ proposed form and method of providing notice of the pendency of the Settlement to the Settlement Class under Rule 23(e)(2); and
6. Scheduling a Settlement hearing for final approval of (a) the Settlement set forth in the Stipulation of Settlement, and (b) Class Counsel’s application for an award of attorneys’ fees and expenses incurred in representing the Settlement Class.

In support of this Motion, Plaintiff incorporates by reference its Memorandum in Support and the Stipulation of Settlement and supporting Exhibits, which are filed simultaneously herewith.

DATED: May 10, 2024

AQUALAW PLC
F. PAUL CALAMITA (ID #12740)

/s/ F. Paul Calamita
F. PAUL CALAMITA

¹ Capitalized terms not defined herein are defined in the Stipulation of Settlement, dated May 10, 2024.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 10, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ F. Paul Calamita

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